

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **In Re Investigative Subpoenas**

Docket No. **284993**

L.C. No. **08-026516-PZ**

Donald S. Owens, Judge, acting under MCR 7.211(E)(2), orders:

The motion to challenge the May 29, 2008, order suppressing the Court of Appeals file in this case is GRANTED in part, there being less restrictive means to comply with MCL 767A.1 *et seq.* MCR 8.119(F)(1) through MCR 7.211(C)(9)(c).

That portion of the trial court file which was ordered sealed by the circuit judge will remain sealed throughout the appeal as required by MCR 7.211(C)(9)(a).

Any documents covered by the trial court's protective order shall remain sealed on appeal, and filed as provided in MCR 7.211(C)(9)(b). Any references to the public hearing held and decision made in the trial court regarding whether the Grand Traverse County Prosecutor had jurisdiction in this matter, which is the sole issue on appeal, shall be public.

The individual employees may be referenced as "Dickinson Wright employees." MCL 767A.6(5).

Appellant may file an amended brief within 14 days of the certification of this order that excludes any protected material and references thereto as described above, or places any protected material in a sealed envelope with the protective order on the outside of the envelope. If appellant's brief filed on May 5, 2008, contains no protected material, appellant shall notify this Court in writing, with service to all appellate parties, that the brief already filed will remain the appellant's brief on appeal.

Appellees' may file amended briefs within 14 days of service of appellant's amended brief or the notification that the appellant's brief filed on May 5, 2008, will remain the appellant's brief on appeal. Appellees' briefs shall be filed as described for appellant's brief above. Where amended pleadings are filed, the originals shall remain suppressed.

Any pleadings not protected in the trial court or as specified above shall be public.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JUN 18 2008
Date

Sandra Schultz Mengel
Chief Clerk